## Remarks

*Status of the claims*

Claims 14, 20, 21, 42, 48, 53, 56, and 61-64 are indicated as allowed. The remaining pending claims were rejected.

*Objection to the Disclosure*

The specification is objected to for failing to comply with the Sequence Rules. Sequences appear in Figures 3A, 3B, 5A, 10A, 10B, 10C, and 10D, but were not accompanied by sequence identifiers.

The specification has been amended to supply the missing sequence identifiers. Withdrawal of this objection is respectfully requested in view of the amendment to the specification.

*Rejection of claims 19, 44-46, 49-51, 53, and 54 Under 35 U.S.C. §112, first paragraph*

Claims 19, 44-46, 49-51, 53, and 54 have been cancelled, rendering this rejection moot.

*Rejection of claims 43, 47, and 57-60 Under 35 U.S.C. §112, first paragraph*

Claims 43, 47, and 57-60 stand rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The phrase inserted by the prior amendment, "whereby transcription of p53-regulated genes is activated in the cell," is allegedly unsupported by the application as filed. Applicants pointed to page 13, at lines 3-6 of the application, but the PTO found that to be inadequate support because it "does not mention p53-regulated genes."

The application teaches:

> It is an additional finding of the present invention that wild-type p53 can activate the expression of genes adjacent to a specific binding site. Moreover, the level of in vivo transactivation is proportional to the in vitro strength of DNA-binding. Mutant p53 encoded by oncogenic p53 genes (i.e., those found in cancer cells of human patients), completely lose the ability to transactivate. In addition the

> mutant p53 proteins exert a dominant-negative effect, dramatically reducing the transactivating activity of wild-type p53.

It is black letter law that an application does not need to support a claim term *in ipsis verbis*. The above quoted portion of the specification discloses p53-regulation of genes ("wild-type p53 can activate the expression of genes"). Nonetheless, in order to advance prosecution, applicants have requested that the claim be amended to delete the offending phrase and replace it with words that are present *in ipsis verbis* in the application. Specifically, applicants have requested that the phrase "whereby transcription of a gene adjacent to the p53 specific binding site is activated in the cell," be inserted in the rejected claims. It is respectfully submitted that this phrase is fully supported by the application as originally filed.

Withdrawal of the rejection is therefore respectfully requested.

Respectfully submitted

Dated: December 07, 2005

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